

THURSDAY, APRIL 15, 1999
TWELFTH LEGISLATIVE DAY
FIRST EXTRAORDINARY SESSION

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Reverend Eddie Turner, Trinity Assembly, Algood, Tennessee.

Representative Hargrove led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 98

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative McAfee; illness.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 22: Rep(s). Caldwell and Garrett as prime sponsor(s).

House Bill No. 53: Rep(s). Caldwell and Garrett as prime sponsor(s).

MESSAGE FROM THE SENATE

April 15, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 42, 43, 44, 45, 46, and 51; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 42 -- Memorials, Death - James Amos "Jim" Hutchison. by *Springer.

Senate Joint Resolution No. 43 -- Memorials, Personal Achievement - Bob Cherry, Tennessee Walking Horse National Celebration Hall of Fame. by *Springer, *Womack.

Senate Joint Resolution No. 44 -- Memorials, Illness - Jody White. by *Springer.

***Senate Joint Resolution No. 45** -- Highway Signs - "John B. Deakins, Sr. Highway," State Highway 75, Washington County. by *Crowe, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 46 -- Naming and Designating - "Community Action Month," May. by *Crowe, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 51 -- Naming and Designating - Child Abuse Prevention Month, April. by *Crowe.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 19, 1999:

House Resolution No. 24 -- Memorials, Personal Occasion - Michie High School Class of 1949, 50 year class reunion. by *Rinks.

House Resolution No. 25 -- Memorials, Professional Achievement - Alana Delise Teague, 1999 Tennessee Teacher of the Year. by *Rinks.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 19, 1999:

Senate Joint Resolution No. 42 -- Memorials, Death - James Amos "Jim" Hutchison. by *Springer.

Senate Joint Resolution No. 43 -- Memorials, Personal Achievement - Bob Cherry, Tennessee Walking Horse National Celebration Hall of Fame. by *Springer, *Womack.

Senate Joint Resolution No. 44 -- Memorials, Illness - Jody White. by *Springer.

CONSENT CALENDAR

House Resolution No. 22 -- Memorials, Congratulations - Linda Moynihan, Champion of Change Award recipient. by *Eckles.

House Joint Resolution No. 49 -- Memorials, Academic Achievement - Angela Shears, 1999 Southern Appalachian Regional Spelling Bee champ. by *Baird, *Goins.

House Joint Resolution No. 50 -- Memorials, Death - Joseph W. Shew. by *Patton.

House Joint Resolution No. 52 -- Memorials, Retirement - J. Keith Haney. by *DeBerry J.

House Joint Resolution No. 53 -- Memorials, Retirement - Joe Johnson, President, University of Tennessee. by *Bone.

House Joint Resolution No. 54 -- Memorials, Sports - Sullivan Central High School girls' cross country team, TSSAA state champions. by *Godsey.

Senate Joint Resolution No. 40 -- Memorials, Public Service - "Keep Bristol Beautiful," organizers and participants. by *Ramsey.

Senate Joint Resolution No. 49 -- Memorials, Professional Achievement - Pfizer Drug Company, 150th Anniversary. by *Ramsey, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Rep. Kisber moved that all members voting aye on **Senate Joint Resolution No. 49** be added as sponsors, which motion prevailed.

Rep. Godsey moved that all members voting aye on **House Joint Resolution No. 54** be added as sponsors, which motion prevailed.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 53: by Rep. Bone

Rep. Bone requested that House Joint Resolution No. 53 be held on the Clerk's desk, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Kerr moved that the rules be suspended for the purpose of introducing House Resolution No.23 out of order, which motion prevailed.

House Resolution No. 23 -- Naming and Designating - "Boys & Girls Club Week" in Blount County, April 11-17, 1999. by *Kerr.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kerr, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 23: Rep(s). Armstrong as prime sponsor(s).

MESSAGE FROM THE SENATE

April 15, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 32, 33, 34, and 35; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

April 15, 1999

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 32, 33, 34, and 35; also, House Resolution(s) No(s). 22 and 23.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 15, 1999

The Speaker signed the following: House Joint Resolution(s) No(s). 32, 33, 34, and 35; also, House Resolution(s) No(s). 22 and 23.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 15, 1999

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 32, 34 and 35; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 15, 1999

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 32, 33, 34 and 35.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS

April 15, 1999

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s) 49, 50, 52, and 54.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 15, 1999

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 40 and 49; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

April 15, 1999

The Speaker signed the following: Senate Joint Resolution(s) No(s). 40 and 49.

MESSAGE FROM THE GOVERNOR

April 15, 1999

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 25, 26, 27, 28, 29, and 31, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, April 19, 1999.